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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,781	07/10/2003	Lycurgus B. Ward JR.	21690-RA	2001
30184	7590	09/26/2005	EXAMINER	
MYERS & KAPLAN, INTELLECTUAL PROPERTY LAW, L.L.C.			CAMPEN, KELLY SCAGGS	
1899 POWERS FERRY ROAD			ART UNIT	
SUITE 310			PAPER NUMBER	
ATLANTA, GA 30339			3624	

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3624

Notice of Non-Responsive Election

Election/Restrictions

The reply filed on 2/2/5 is not fully responsive to the prior Office Action because:

Applicant deliberately refused to elect a species as is clearly required. In applicant's response filed 2/2/5, in the second paragraph of page 9, applicant clearly indicates that because "Examiner has not provided any means of grouping or selecting claims" and applicant claims that claim 1 was intended to be generic. Examiner disagrees and refers applicant to pages 3-4 of the office Election/Restriction mailed 12/2/04. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly Campen whose telephone number is (571) 272-6740. The examiner can normally be reached on Monday-Thursday.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KSC

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